

PEOPLE vs DANIEL KISLIUK
Case No. 23CR026881

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MENDOCINO

UKIAH BRANCH

- - -

PEOPLE OF THE STATE OF
CALIFORNIA,

PLAINTIFF,

VS.

DANIEL KISLIUK,

DEFENDANT.

CASE NO.
23CR026881

**CERTIFIED
TRANSCRIPT**

PROCEEDINGS

NOVEMBER 9, 2023

BEFORE HONORABLE KEITH A. FAULDER, JUDGE

- - -

APPEARANCES OF COUNSEL

FOR THE PLAINTIFF:

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DEPUTY DISTRICT ATTORNEY

FOR THE DEFENDANT:

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BY: DANA LIBERATORE
DEPUTY PUBLIC DEFENDER

CAROL J. DEUCHAR, CSR NO. 13877
OFFICIAL COURT REPORTER
MENDOCINO COUNTY COURTHOUSE
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1 NOVEMBER 9, 2023

2 AFTERNOON SESSION

3 - - -

4 THE COURT: We're on the record in the People
5 versus Daniel Kisliuk, who is in custody on two cases,
6 23-00867, and 23-02681. For the People?

7 MS. KELSEY: Eloise Kelsey for the People.

8 THE COURT: For Mr. Kisliuk this afternoon?

9 MR. LIBERATORE: Dana Liberatore appearing
10 specially on behalf of Frank McGowan on behalf of Mr. Kisliuk.

11 THE COURT: And he's appearing by video.

12 Ms. Kelsey, it's your position that Mr. Kisliuk should be
13 released from custody today on the bond that he's already
14 posted, and to be ordered to appear in the 10-Mile Court for a
15 VOP hearing conference on November 13th at 9:30, is it?

16 MS. KELSEY: It's at 9:00 a.m. And he also has in
17 case -2681 pending an amendment adding the new misdemeanor 148
18 charge. It's already on for pre-prelim at 9:00 o'clock on the
19 13th, and prelim on the 20th.

20 THE COURT: Yes.

21 MS. KELSEY: I would ask that we just confirm the
22 dates for now. We can adjust the preliminary hearing date on
23 Monday when Mr. McGowan is with his client and we can discuss
24 time status, now that he'll be released from custody.

25 THE COURT: And any amendments to the compliant as
26 well?

27 MS. KELSEY: Yes, that's fine.

28 THE COURT: You were also asking for a condition

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1 of bail.

2 MS. KELSEY: Yes, Your Honor. Based on the nature
3 of this new offense, the People would be requesting an
4 additional bail condition that Mr. Kisliuk be told to stay
5 away from any active police investigation, and not interfere
6 with those investigations.

7 He -- he -- I don't want to prohibit him from exercising
8 whatever rights he may have as a citizen to observe police
9 conduct, but the concern here is that he does have a 69 -- a
10 PC69 alleged.

11 And in this particular incident, as I understand it, the
12 police were investigating what, essentially, was a CPS, a
13 Child Protective Service investigation.

14 And Mr. Kisluk was running at the officers and yelling at
15 them while video taping them, and, essentially, causing them
16 to be in fear for their safety and preventing them from
17 properly detaining the child and getting Social Services
18 present at the scene.

19 So they just couldn't ensure the safety and continued
20 investigation.

21 So I would just supplement that I am familiar with this
22 particular defendant. He is a participant in behavioral
23 health court, and has some conditions associated with that.

24 And so I think there's a level of unpredictability here
25 that is concerning to the police officers, and we are trying
26 to address those issues in behavioral health court.

27 THE COURT: Mr. Liberatore?

28 MR. LIBERATORE: No objection at this time.

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1 THE COURT: The way I have to phrase it I believe
2 is that, Mr. Kisliuk, a part of obeying all laws is not
3 resisting, delaying peace officers, or interfering with any
4 active investigations.

5 And if you do interfere with those investigations in a
6 way that prevents them from safely carrying out their duties,
7 they could charge you with a new offense.

8 Obey all laws means do not interfere with law enforcement
9 as well. Do you understand, Mr. Kisliuk?

10 THE DEFENDANT: I do understand.

11 THE COURT: And do you accept your release on bail
12 posted with that additional term?

13 THE DEFENDANT: I do.

14 THE COURT: You're ordered to be personally
15 present in the 10 Mile Court on November 13th at 9:00 o'clock
16 for preliminary hearing confirmation and VOP confirmation.
17 Thank you.

18 MR. LIBERATORE: Thank you, Your Honor.

19 THE COURT: He will be ordered released today on
20 bonds already posted, I should add.

21 (Recess)

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1 STATE OF CALIFORNIA)
2) SS.
3 COUNTY OF MENDOCINO)
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5

6 CERTIFICATE OF REPORTER
7

8 I, CAROL JEANNETTE DEUCHAR, A CERTIFIED SHORTHAND
9 REPORTER OF THE STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT
10 THE FOREGOING DATES AND PAGES:

11 NOVEMBER 9, 2023, PAGES 1 TO 6, CONTAIN A TRUE AND
12 CORRECT TRANSCRIPTION OF MY SHORTHAND NOTES TAKEN BY ME IN THE
13 CAUSE ENTITLED, THE PEOPLE OF THE STATE OF CALIFORNIA,
14 PLAINTIFF/RESPONDENT, VERSUS DANIEL KISLIUK,
15 DEFENDANT/APPELLANT, CASE NO. 23CR026881.
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20 DATED AUGUST 13, 2024.
21
22
23

24 *Carol Jeannette Deuchar*
25

26 CAROL JEANNETTE DEUCHAR

27 CERTIFIED SHORTHAND REPORTER, #13877
28

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